

Senate Engrossed House Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 216

HOUSE BILL 2304

AN ACT

AMENDING SECTION 19-123, ARIZONA REVISED STATUTES; RELATING TO ELECTION PAMPHLETS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 19-123, Arizona Revised Statutes, is amended to
3 read:

4 19-123. Publicity pamphlet; printing; distribution; public
5 hearings

6 A. When the secretary of state is ordered by the legislature, or by
7 petition under the initiative and referendum provisions of the
8 constitution, to submit to the people a measure or proposed amendment to
9 the constitution, the secretary of state shall cause to be printed, at the
10 expense of the state, except as otherwise provided in this article, a
11 publicity pamphlet, which shall contain:

12 1. A true copy of the title and text of the measure or proposed
13 amendment. Such text shall indicate material deleted, if any, by printing
14 such material with a line drawn through the center of the letters of such
15 material and shall indicate material added or new material by printing the
16 letters of such material in capital letters.

17 2. The form in which the measure or proposed amendment will appear
18 on the ballot, the official title, the descriptive title prepared by the
19 secretary of state and the number by which it will be designated.

20 3. The arguments for and against the measure or amendment.

21 4. For any measure or proposed amendment, a legislative council
22 analysis of the ballot proposal as prescribed by section 19-124.

23 5. The report of the commission on judicial performance review for
24 any justices of the supreme court, judges of the court of appeals and
25 judges of the superior court who are subject to retention.

26 6. The summary of a fiscal impact statement prepared by the joint
27 legislative budget committee staff pursuant to subsection ~~D~~ E of this
28 section.

29 B. The secretary of state shall post the publicity pamphlet on the
30 secretary of state's website as soon as is practicable after the pamphlet
31 is printed and shall mail one copy of the publicity pamphlet to every
32 household that contains a registered voter OR, AT THE OPTION OF THE VOTER,
33 MAY MAKE THAT DELIVERY BY E-MAIL. The mailings may be made over a period
34 of days but shall be mailed in order to be delivered to households before
35 the earliest date for receipt by registered voters of any requested early
36 ballots for the general election.

37 C. THE SECRETARY OF STATE, ON REQUEST BY THE VOTER, SHALL PROVIDE
38 FOR THE PUBLICITY PAMPHLET TO BE DELIVERED TO A VOTER BY E-MAIL. THE
39 MOTOR VEHICLE DIVISION OF THE DEPARTMENT OF TRANSPORTATION SHALL PROVIDE
40 FOR PERSONS TO CHOOSE E-MAIL DELIVERY BY WAY OF THE SECURE INTERNET PORTAL
41 OPERATED BY THE DEPARTMENT PURSUANT TO SECTION 16-112. THE SECRETARY OF
42 STATE AND THE MOTOR VEHICLE DIVISION SHALL NOTIFY THE VOTER THAT, UNLESS
43 ALL PERSONS WHO ARE REGISTERED TO VOTE AT THE VOTER'S HOUSEHOLD ALSO
44 REQUEST E-MAIL DELIVERY OF THE PUBLICITY PAMPHLET, THE VOTER'S HOUSEHOLD
45 WILL RECEIVE A PUBLICITY PAMPHLET BY REGULAR MAIL. IF THE SECRETARY OF
46 STATE RECEIVES A RETURN E-MAIL THAT INDICATES THE E-MAIL ADDRESS PROVIDED

1 BY THE VOTER IS UNDELIVERABLE, THE SECRETARY OF STATE SHALL PROVIDE THE
2 PUBLICITY PAMPHLET TO THE VOTER BY REGULAR MAIL. NOTWITHSTANDING ANY
3 OTHER LAW, A VOTER'S E-MAIL ADDRESS MAY NOT BE RELEASED FOR ANY OTHER
4 PURPOSE.

5 ~~C.~~ D. Sample ballots for both the primary and general elections
6 shall include a statement that information on how to obtain a publicity
7 pamphlet for the general election ballot propositions is available by
8 calling the secretary of state. The statement shall include a telephone
9 number and mailing address of the secretary of state.

10 ~~D.~~ E. On certification of an initiative measure as qualified for
11 the ballot, the secretary of state shall hold or cause to be held at least
12 three public meetings on the ballot measure. Hearings shall be held in at
13 least three different counties and shall be held before the date of the
14 election on the measure. The hearings shall provide an opportunity for
15 proponents, opponents and the general public to provide testimony and
16 request information. Hearings may be scheduled to include more than one
17 qualified ballot measure and shall include a fiscal impact presentation on
18 the measure by the joint legislative budget committee staff. The joint
19 legislative budget committee staff shall prepare a summary of the fiscal
20 impact for each ballot measure, not to exceed three hundred words, for
21 publication in the publicity pamphlet.

APPROVED BY THE GOVERNOR APRIL 28, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2017.

Passed the House February 22, 20 17

Passed the Senate April 11, 20 17

by the following vote: 45 Ayes,

by the following vote: 18 Ayes,

14 Nays, 1 Not Voting
w/ RFEIR

12 Nays, 0 Not Voting

[Signature]
Speaker of the House
☐ Pro Tempore

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary of State

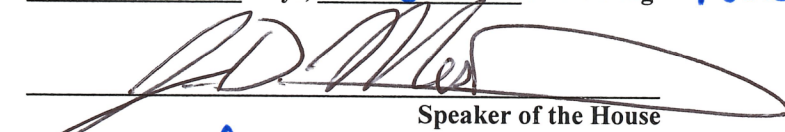
H.B. 2304

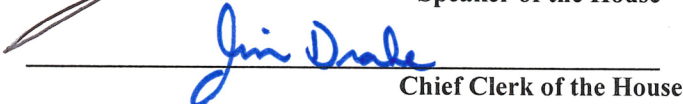
HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 24, 2017,

by the following vote: 418 Ayes,

3 Nays, 8 Not Voting 1 vacant


Speaker of the House


Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24th day of April, 2017,

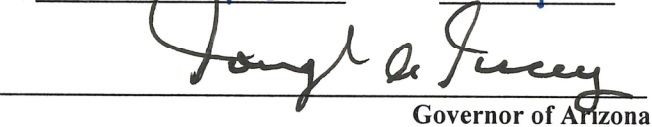
at 2:03 o'clock P. M.


Secretary to the Governor

Approved this 28th day of

April, 2017,

at 1:30 o'clock P. M.


Governor of Arizona


H.B. 2304

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 28 day of April, 2017,

at 4:43 o'clock P. M.


Secretary of State